

Service Date: February 21, 1990

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER of the Application	)	
of TOWN OF FAIRVIEW to Increase	)	DOCKET NO. 89.10.39
Rates and Charges for Water Service	)	ORDER NO. 5462
in Fairview, Montana Service Area	)	DEFAULT ORDER

\* \* \* \* \*

On October 20, 1989, the Town of Fairview (Applicant or Town) filed an application with the Montana Public Service Commission for an order authorizing the Applicant to increase its rates and charges for water service. The Applicant alleges in its filing that increased revenues are needed to defray increased costs of operation and to retire outstanding water revenue bonds.

Having considered the application and documentation furnished by the Applicant in support of its application, and deeming itself fully advised in the premises, the Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. A Notice of Opportunity for Public Hearing was published in the January 13, 1990 edition of the Billings Gazette and the January 14, 1990 edition of the Sidney Herald. The notice stated that if no protests or requests for public hearing were received by February 12, 1990, an appropriate order would be issued based upon the evidence submitted with the application.

2. No protests or requests for public hearing were received and no hearing was scheduled.

3. On October 10, 1990, the Town Council of the Town of Fairview passed a resolution setting water rates at the proposed level.

4. The Town alleges that it needs additional revenue for retirement of a proposed revenue bond issue and to defray increased costs of operation.

5. The Town anticipates that the proposed rates will increase annual revenues by approximately \$25,000.

6. If the bond sale and increased operating costs result in a total financial obligation of less than \$25,000 the rates approved herein shall be adjusted downward.

#### CONCLUSIONS OF LAW

1. The Applicant, the Town of Fairview, is a public utility as defined in Section 69-3-101, MCA. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's rates. Title 69, Chapter 7, MCA.

2. The Commission has provided adequate public notice and an opportunity to be heard as required by Section 69-3-303, MCA, and Title 2, Chapter 4, MCA.

3. The rates and rate structure approved in this order are just and reasonable. Sections 69-3-201 and 69-3-330, MCA.

#### ORDER

1. The rates as filed by the Town with its application are authorized, contingent upon the terms of the bond sale.

2. The Town upon completion of the bond sale will file a copy of the bond ordinance with the Commission. The Commission will review the bond ordinance to determine the precise level of rates.

3. These rates shall be effective upon Commission approval.

DONE IN OPEN SESSION at Helena, Montana on this 20th day of February, 1990,  
by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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CLYDE JARVIS, Chairman

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HOWARD L. ELLIS, Commissioner

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WALLACE W. "WALLY" MERCER, Commissioner

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DANNY OBERG, Commissioner

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JOHN B. DRISCOLL, Commissioner

ATTEST:

Ann Peck  
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.